IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

WP(C).No. 8351 of 2007(T)

PETITIONER:

JOJI.C.S., CHUNKATH NIVAS,
P.O.KOTTAPADI, THRISSUR.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:
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1. THE DSTRICT OFFICER,
THE KERALA PUBLIC SERVICE COMMISSION,
THRISSUR.

2. THE PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS SECRETARY, PATTOM,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

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WP(C).No.8351 OF 2007-T.

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Dated this the 20th day of March, 2007.

J U D G M E N T

The petitioner applied for appointment to the post of Lower Division Clerks in various departments in Thrissur district. He appeared for the written test. He could not find his register number in the short list published thereafter on the ground that the 2nd respondent has committed errors in valuing the answer sheets. The petitioner applied for the supply of the copy of the answer sheets. This was done invoking the provisions of the Right to Information Act.

2. The Commission issued Ext.P5 letter dated 8-2-2007 informing the petitioner that the rank list of candidates has already been published and the same is available in the Web Site of the Commission. Counsel for the Commission submitted that the answer key had already been published in the PSC Bulletin, and therefore, the petitioner cannot have any genuine grievance.

3. If the petitioner feels aggrieved by Ext.P5

order, an effective statutory remedy of appeal is provided by the Right to Information Act. It is open to the petitioner to invoke that provision and pursue his remedy. In my view, it is not necessary for this Court, at this stage, to consider whether a direction should be issued to the Commission to produce the answer sheet before this Court or to go into the correctness of the answers. Ordinarily, it is not the function of this Court to go into the correctness of the questions and answers relating to the examinations for admission of candidates to different courses or appointment to various posts. If the petitioner feels that he has got the right to get copy of the answer sheet, it is for him to pursue the remedy provided under the Right to Information Act.

This writ petition is disposed of with the above observation.

K.K.DENESAN, JUDGE.

kvs/-